



Age 3 to 21 Part B File Review Tool

NDE Office of Special Education

February 2021

District:

ESU:

School:

Student Name:

Student Identifier:

Dates:

- 1 Current MDT or Notice of No Additional Testing
- 2 Consent for Evaluation
- 3 Previous MDT
- 4 Current IEP
- 5 Notice for IEP
- 6 Previous IEP
- 7 Most Recent Prior Written Notice (PWN)

Regulatory Requirement - Can NOT be corrected. Ask District to produce or look at another file.

Parental Consent for Initial Evaluation

009.08A

The school district or approved cooperative proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability under 92 NAC 51-003.08 must obtain informed consent, consistent with 92 NAC 51-003.09, from the parent of the child before conducting the evaluation.

(NOTE: 92 NAC 51-003.09 provides, "Consent means that the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; that the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought; that the consent includes a description of the proposed activity and a list of records (if any) which will be released and to whom they will be released; and the parent understands that the granting of consent is voluntary and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)).

009.08A1

If the district is proposing to conduct an initial evaluation to determine whether the child qualifies as a child with a disability, the district must obtain informed consent from the parent of the child prior to conducting the evaluation. The parent must have been informed of all information relevant to the activity (provided prior written notice) and agree in writing to the completion of an initial evaluation. The consent must also include a list of records (if any) which will be released and to whom they will be release. Additionally, the parent must understand that granting of consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive (i.e. it does not negate an action which has already occurred.)

Compliant	✓	Response Criteria:
Yes		The district maintains written documentation that:
		● Parent consent was obtained prior to completion of the initial evaluation;
		● Prior written notice concerning the initial evaluation was provided to the parent;
		● The parent agreed in writing to conducting the initial evaluation;
		● Parent understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive.
No		● Parent consent was obtained prior to completion of the initial evaluation;
		● Prior written notice concerning the initial evaluation was provided to the parent;
		● The parent agreed in writing to conducting the initial evaluation;
		● Parent understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive.
N/A		Initial evaluation was done more than a year prior to the review.
<u>Rationale for response:</u>		

Consent for Services

009.08B

A school district or approved cooperative that is responsible for making FAPE available to a child with a disability must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child.

(NOTE: 92 NAC 51-003.09 provides, "Consent means that the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; that the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought; that the consent includes a description of the proposed activity and a list of records (if any) which will be released and to whom they will be released; and the parent understands that the granting of consent is voluntary and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)).

009.08B1

If the district is proposing to provide special education and related services (FAPE), the district must obtain informed consent for the parent of the child prior to the provision of special education and related services to the child. The parent must have been informed of all information relevant to the activity (provided prior written notice) and agree in writing to the provision of special education and related services. The consent must also include a list of records (if any) which will be released and to whom they will be released. Additionally, the parent must understand that granting of consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive (i.e. it does not negate an action that has already occurred.)			
Compliant	✓	Response Criteria:	
Yes		The district maintains written documentation that:	
		● Parent consent was obtained prior to the provision of special education and related services (FAPE);	
		● Prior written notice concerning the provision of special education and related services (FAPE) was provided to the parent;	
		● The parent agreed in writing to the provision of special education and related services (FAPE);	
		● The consent included a list of records (if any) which would be released and to whom they would be released; and	
		● Parent understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive.	
No		The district does not maintain written documentation that:	
		● Parent consent was obtained prior to the provision of special education and related services (FAPE);	
		● Prior written notice concerning the provision of special education and related services (FAPE) was provided to the parent;	
		● The parent agreed in writing to the provision of special education and related services (FAPE);	
		● Parent understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive.	
N/A		Student has been receiving special education and related services (FAPE) for longer than a year.	
Rationale for response:			
Parent Consent for Reevaluation			009.08C
Subject to 92 NAC 51-009.08C2, each school district or approved cooperative must obtain informed parental consent, in accordance with 92 NAC 51-009.08A1, prior to conducting any reevaluation of a child with a disability.			009.08C1
(NOTE: 92 NAC 51-003.09 provides, “Consent means that the parent has been fully informed of all information relevant to the activity for which consent is sought, in his or her native language, or other mode of communication; that the parent understands and agrees in writing to the carrying out of the activity for which his or her consent is sought; that the consent includes a description of the proposed activity and a list of records (if any) which will be released and to whom they will be released; and the parent understands that the granting of consent is voluntary and may be revoked at any time. If a parent revokes consent, that revocation is not retroactive (i.e., it does not negate an action that has occurred after the consent was given and before the consent was revoked)).			
If the district is proposing to provide special education and related services (FAPE), the district must obtain informed consent for the parent of the child prior to the provision of special education and related services to the child. The parent must have been informed of all information relevant to the activity (provided prior written notice) and agree in writing to the provision of special education and related services. The consent must also include a list of records (if any) which will be released and to whom they will be released. Additionally, the parent must understand that granting of consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive (i.e. it does not negate an action that has already occurred.)			
Compliant	✓	Response Criteria:	
		The district maintains written documentation that:	
		● Parent consent was obtained prior to the provision of special education and related services (FAPE);	
		● Prior written notice concerning the provision of special education and related services (FAPE) was provided to the parent;	

Yes		<ul style="list-style-type: none"> • The parent agreed in writing to the provision of special education and related services (FAPE); • The consent included a list of records (if any) which would be released and to whom they would be released; and • Parent understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive.
No		<p>The district does not maintain written documentation that:</p> <ul style="list-style-type: none"> • Parent consent was obtained prior to the provision of special education and related services (FAPE); • Prior written notice concerning the provision of special education and related services (FAPE) was provided to the parent; • The parent agreed in writing to the provision of special education and related services (FAPE); • The consent included a list of records (if any) which would be released and to whom they would be released; and • Parent understood that granting consent is voluntary and may be revoked at any time; except that revocation of consent is not retroactive.
N/A		Student not due for a reevaluation or consent was not obtained (009.08C2).
<u>Rationale for response:</u>		

Timelines		
Referral, notice to parents (See 92 NAC 51-009.05), and parental consent, shall be completed within a reasonable period of time. The initial multidisciplinary team evaluation shall be completed within 45 school days of receiving parental consent for the evaluation.		009.04A1
(NOTE: "Reasonable period of time" is not defined in the regulations. Therefore, the standard applied is whether a "reasonable person" would find the amount of time sufficient.)		
For initial evaluation the district has 45 school days from day of receiving the signed parental consent for initial evaluation from the parent(s). Review timeline through review of the date signed consent received from parent and date of the MDT report. For initial evaluation only.		
*300.301 (c) (1) (i)		
Compliant	✓	Response Criteria:
Yes		Initial MDT completed within 45 school days, or 60 calendar days (whichever is shorter) of receiving the signed parental consent
No		Initial MDT was not completed within the timeframe
NA		Not an initial MDT; the process occurred at another district.
Rationale for response:		

Regulatory Requirements Can NOT be corrected. Ask District to produce or look at another file.

Multidisciplinary Evaluation Team (MDT) Requirements			
The multidisciplinary evaluation team (including the child's parents) shall be responsible for the analysis, assessment and documentation of educational and developmental abilities and needs of each child referred for the purpose of individual evaluation.			006.03A
(Note: This is the only regulation which states that the child's parent(s) are part of the Multidisciplinary Team)			
Compliant	✓	Response Criteria:	
Yes		The multidisciplinary team report documents that the parents(s) was a member of the team, and was included in the decision.	
No		The multidisciplinary team report does not document that the parent was a member of the team, and included in the decision.	
N/A		MDT completed in another district.	
Rationale for response:			
For children attending nonpublic schools, an administrator of the nonpublic school or a designated representative of the nonpublic school shall be a member of the MDT.			006.03B
(Note: This regulation stipulates that nonpublic personnel are to be part of the multidisciplinary team when determination of eligibility involves a nonpublic student.)			
Compliant	✓	Response Criteria:	
Yes		District has documentation an administrator of the nonpublic school or a designated representative of the nonpublic school shall be a member of the MDT. The signature page of the MDT includes the name of the nonpublic representative.	
No		District does not have documentation an administrator of the nonpublic school or a designated representative of the nonpublic school shall be a member of the MDT.	
N/A		Student does not attend a nonpublic school or the MDT was completed in another district.	
Rationale for response:			
Multidisciplinary Evaluation Team Report			006.03E/F
The multidisciplinary evaluation team written report for all suspected disabilities must meet the following requirements: The team shall prepare a written report of the results of the evaluation.			006.03E1
The district must prepare a written report of the results of the evaluation.			006.03F1
Compliant	✓	Response Criteria:	
Yes		The district maintains a copy of the written report of the results of the evaluation.	
No		The district does not maintain a copy of the written report of the results of the evaluation.	
N/A		MDT was completed in another district.	
Rationale for response:			
The report shall include a statement of whether the child qualifies as a child with a disability based on the criteria and the definition contained in 92 NAC 51-006.04.			006.03E2a
The MDT written report must include a statement whether the child qualifies as a child with a disability. The determination of whether the child qualifies must be based on the definition and criteria included in 92 NAC 51.006.04. (Typically districts will utilize the information contained in the Verification Guidelines Technical Assistance Document to assist in making that determination, however the MDT must contain the Rule 51 language that the child qualifies per Rule 51).			006.03F2a
Compliant	✓	Response Criteria:	
Yes		The report indicates whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04.	
No		The report does not indicate whether the child is a child with a disability based on the criteria contained in 92 NAC 51-006.04.	
N/A		MDT was completed in another district.	
Rationale for response:			
The child's educational needs;			006.03E2b

The MDT written report must include information regarding the child's educational needs. The information may be drawn from a variety of sources including the child and family assessment and formal and informal evaluation results.		006.03F2b
Compliant	✓	Response Criteria:
Yes		The MDT includes a statement of the child's educational needs.
No		The MDT does not include a statement of the child's educational needs.
N/A		MDT was completed in another district.
<u>Rationale for response:</u>		
The basis for making the determination;		006.03E2c
		006.03F2c
The MDT report must include the basis for making the determination of eligibility.		
Compliant	✓	Response Criteria:
Yes		The MDT includes the basis for making the determination.
No		The MDT does not include the basis for making the determination.
N/A		MDT was completed in another district.
<u>Rationale for response:</u>		
A listing of the team members.		006.03E2d
The MDT written report must include a listing of team members. (Team membership can be documented by asking MDT members to sign the team report indicating their membership or the MDT report may include listing of team member names).		006.03F2i
Compliant	✓	Response Criteria:
Yes		The MDT report includes a listing of team members.
No		The MDT does not include a listing of team members.
N/A		MDT was completed in another district.
<u>Rationale for response:</u>		
Each team member shall certify in writing if the report reflects his or her conclusion. If it does NOT reflect his or her conclusions, the team member shall submit a separate statement presenting his or her conclusion.		006.03E3
		006.03F3
The MDT report must include a certification by each team member as to whether the MDT report reflects his or her conclusion. To certify that the report reflects the team members' conclusions, a signature is required along with an indication as to whether the report reflect his/her conclusion. In the event the report does not reflect the team member's conclusion, the team member is required to submit a separate statement presenting his/her conclusion.		
Compliant	✓	Response Criteria:
Yes		Each MDT member certified in writing whether the report reflects his/her conclusion; and if the report did not reflect his/her conclusion, the team member submitted a separate statement presenting his/her conclusion.
No		MDT members did not certify in writing whether the report reflects his/her conclusion; or, if the report did not reflect his/her conclusion, the team member did not submit a separate statement presenting his/her conclusion.
N/A		MDT was completed in another district.
<u>Rationale for response:</u>		

Additional MDT Requirements for SLD Identification		
Additional MDT Report Requirements for SLD Identification		006.03F
The relevant behavior, if any, noted during the observation of the child; and the relationship of that behavior to the child's academic functioning;		006.03F2d
The district must document any relevant behavior noted during the observation of the child, and provide evidence of the relationship of that behavior to the child's academic functioning.		
Compliant	✓	Response Criteria:
Yes		MDT report contains information on the behavior, and its impact on the child's academic functioning, or there is written documentation that no relevant behavior was observed.
No		MDT report has no documentation on relevant behavior, and its impact on the child's academic functioning, nor is there written documentation that no relevant behavior was observed.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
Rationale for response:		
The educationally relevant medical findings, if any;		006.03F2e
The district must include information from the child's physician regarding medical findings which may be affecting the child's performance in the classroom.		
Compliant	✓	Response Criteria:
Yes		MDT report contains information if there are any medical findings and if so include relevant medical information; Or that there was no relevant medical information
No		MDT does not report whether or not there are any medical findings or includes any relevant medical information.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
Rationale for response:		
Whether the child does not achieve adequately for the child's age or to meet state-approved grade level standards consistent with 92 NAC 51-006.04K3;		006.03F2f
<u>006.04K3a</u>		
1. The MDT report include information if the child did not achieve adequately for the child's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or State- approved grade-level standards; oral expression, listening comprehension, written expression, basic reading skills, reading fluency skills, reading comprehension, mathematics calculations, mathematics problem solving.		
AND		
<u>006.04K3b</u>		
2. The MDT report includes information if the child does not make sufficient progress to meet age or state approved grade-level standards in one or more of the areas identified in 92 NAC 51-006.04K3a when using a process based on the child's response to scientific, research-based intervention,		
OR		
<u>006.04K3b(i)</u>		
3. The MDT report includes information that the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state approved, grade-level standards, or intellectual development, that is determined by the team to be relevant to the identification of a specific learning disability, using appropriate assessments consistent with the general evaluation process outlined in 92 NAC 51-006.02		
Compliant	✓	Response Criteria:
Yes		The MDT includes information on whether the child does not achieve adequately for the child's age or to meet state approved grade level standards in #1 and either #2 OR #3 above.
No		The MDT does NOT include this information.

N/A		Student is not a student with a learning disability or MDT was completed in another district.
<u>Rationale for response:</u>		
The determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level		006.03F2g
The district must document the effects of a vision, hearing, or motor disability; mental handicap; behavior disorder; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level.		
Compliant	✓	Response Criteria:
Yes		MDT includes a statement including all of the above information.
No		MDT does NOT include a statement including the above information.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
<u>Rationale for response:</u>		
Response to Scientific, Research Based Intervention		006.04K3b
If the child has participated in a process that assesses the child's response to scientific, research based intervention, then the instructional strategies used and the student centered data collected;		006.03F2h
The district must include information on whether or not an RTI process was used in determining the child's eligibility under Rule 51.		
Compliant	✓	Response Criteria:
Yes		The MDT report contains documentation that an RtI process was used in determining eligibility.
No		The MDT Report does not contain documentation that an RtI process was used in determining eligibility after the district indicates that they use RtI for determining eligibility.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
<u>Rationale for response:</u>		
The documentation that the parents were notified about: The amount and nature of student performance data that would be collected and the general education services that would be provided.		006.03F2h(1)
The school district maintains written documentation that parents were notified of the district's policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided.		
Compliant	✓	Response Criteria:
Yes		If using RtI, documentation is on file.
No		If using RtI, documentation is not on file.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
<u>Rationale for response:</u>		
The documentation that the parents were notified about: Strategies for increasing the child's rate of learning;		006.03F2h(2)
The school district maintains written documentation that parents were notified of the strategies being used to increase their child's rate of learning.		
Compliant	✓	Response Criteria:
Yes		If using RtI, documentation is on file.
No		If using RtI, documentation is not on file.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
<u>Rationale for response:</u>		
The documentation that the parents were notified about: The parent's right to request an evaluation.		006.03F2h(3)
The school district maintains written documentation that parents were notified of their right to request an evaluation.		
Compliant	✓	Response Criteria:

Yes		If using Rtl, documentation is on file.
No		If using Rtl, documentation is not on file.
N/A		Student is not a student with a learning disability or MDT was completed in another district.
<u>Rationale for response:</u>		

Regulatory Requirements Can NOT be corrected. Ask District to produce or look at another file.

Reevaluation			
A school district or approved cooperative shall assure that a reevaluation of each child with a disability is conducted in accordance with the verification procedures in Section 006;			006.05A
			006.05B2
Must occur at least once every three years, unless the parent and the school district or approved cooperative agree that a reevaluation is unnecessary.			
The date on the MDT report does not exceed three (3) calendar years from the date of the previous MDT report.			
Compliant	✓	Response Criteria:	
Yes		Reevaluation was completed within three years or documentation that it was unnecessary (see 92 NAC 51-006.06D). The IEP team, or other qualified professionals and parents agree that no additional data is needed to continue to be a child that qualifies for special education services.	
No		Reevaluation not completed within three years.	
N/A		Evaluation is an initial evaluation or was completed in another district; or “Notification of No Additional Information Is Needed To Determine Continued Eligibility”.	
Rationale for response:			

Regulatory Requirements *Can NOT* be corrected. Ask District to produce or look at another file.

Review of Existing Data			6.06
As a part of an initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals as appropriate, shall: review existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations by teachers and related service providers; and			006.06A
(Note: The reevaluation process must include a review of existing data before a determination is made that further testing is needed. This activity can be part of an IEP meeting, or another meeting, to determine if there is the need for further testing).			006.06A1
Compliant	✓	Response Criteria:	
Yes		Documentation of a review of existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations, and observations by teachers and related services providers, may be found in IEP meeting notes, the MDT or “No Further Testing Needed” notification to parents.	
No		No documentation of a review of existing evaluation data on the child, including evaluations and information provided by the parents of the child, current classroom-based local or State assessments and classroom-based observations, and observations by teachers and related services providers, may be found in IEP meeting notes, the MDT or “No Further Testing Needed” notification to parents.	
N/A		MDT is from a previous district.	
Rationale for response:			
On the basis of that review, and input from the child’s parents, identify what additional data, if any are needed to determine: the present levels of academic achievement and related developmental needs of the child;			006.06A2
The MDT Report or the IEP Meeting Notes documents the information shared, and the decision of the team. MDT or No Further Testing Needed Forms.			006.06A2b
Compliant	✓	Response Criteria:	
Yes		Documentation exists of the present levels of academic achievement and related developmental needs of the child.	
No		No documentation exists of the present levels of academic achievement and related developmental needs of the child.	
N/A		MDT is from a previous district.	
Rationale for response:			
On the basis of that review, and input from the child’s parents, identify what additional data, if any are needed to determine: whether the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services; and			006.06A2c
The MDT Report of the IEP Meeting Notes identifies what additional data, if any, is needed to determine the need for or the continued provision of special education and related services. MDT or No Further Testing Needed Forms.			
Compliant	✓	Response Criteria:	
Yes		Documentation exists the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services.	
No		No documentation exists the child needs special education and related services, or in the case of a reevaluation of a child, whether the child continues to need special education and related services.	
N/A		MDT is from a previous district.	
Rationale for response:			
On the basis of that review, and input from the child’s parents, identify what additional data, if any are needed to determine: whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the individualized education program of the child and to participate, as appropriate, in the general education curriculum.			006.06A2d
The MDT Report or the IEP Meeting Notes documents the information shared, and the decision of the team. MDT or No Further Testing Needed Forms.			

Compliant	✓	Response Criteria:
Yes		Documentation exists whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.
No		No documentation exists whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP of the child and to participate, as appropriate, in the general education curriculum.
N/A		MDT is from a previous district.
<u>Rationale for response:</u>		

NO ADDITIONAL INFORMATION NEEDED		
No Additional Information Needed to Determine Whether the Child Continues to Be a Child With a Disability		
If the IEP team and other qualified professionals, as appropriate, meet and determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs of the school district or approved cooperative shall notify the parents of:		006.06D
There is written notification that parents were notified.		006.06D1
Compliant	✓	Response Criteria:
Yes		Copy of notification to parents.
No		No documentation of notification to parents.
N/A		MDT conducted or MDT is from a previous district. No "Additional Information Needed" Form required.
<u>Rationale for response:</u>		
If the IEP team and other qualified professionals, as appropriate, meet and determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs of the school district or approved cooperative shall notify the parents of: that determination and the reasons for the determination; and		006.06D1a
There is written documentation of the determination and the reasons for the determination.		
Compliant	✓	Response Criteria:
Yes		Copy of notification to parents.
No		No documentation of notification to parents.
N/A		MDT conducted or MDT is from a previous district. No "Additional Information Needed" Form required.
<u>Rationale for response:</u>		
If the IEP team and other qualified professionals, as appropriate, meet and determine that no additional data are needed to determine whether the child continues to be a child with a disability and to determine the child's educational needs of the school district or approved cooperative shall notify the parents of: the right of the parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.		006.06D1b
There is written documentation that parents were notified that they could request an assessment at any time in the process, and the assessment must be completed.		
Compliant	✓	Response Criteria:
Yes		District documents parents received information regarding the right of the parent to request an assessment.
No		No documentation is found of notification to parents regarding the right of the parent to request an assessment.
N/A		MDT conducted or MDT is from a previous district. No "Additional Information Needed" Form required.
<u>Rationale for response:</u>		

Regulatory Requirement - Can not be corrected. May check for additional files. Check availability on site.

Prior Written Notice			
Prior written notice shall be given to the parents of a child with a disability a reasonable time before a school district or approved cooperative:			009.05A1&2
009.05A1 Proposes to initiate or change the identification, evaluation or educational placement of a child or the provision of a free appropriate public education; or			
009.05A2 Refuses to initiate or change the identification, evaluation or educational placement of a child or the provision of a free appropriate education.			
NOTE: Reviewers must look at a variety of prior written notices contained in the child's file (i.e. change of placement, addition or termination or services, proposal or refusal to conduct evaluations, etc.).			
Compliant	✓	Response Criteria:	
Yes		The district documents that written notice was provided prior to the district taking an action, or refusing to take an action, regarding the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child.	
No		The district cannot document that written notice was provided prior to the district taking an action, or refusing to take an action, regarding the initiation or change in the identification, evaluation, educational placement or the provision of a free appropriate public education to the child.	
<u>Rationale for response:</u>			
Such prior written notice shall include:			009.05B1
A description of the action proposed or refused by the school district or approved cooperative			
The prior written notice must include a description of the action being proposed or refused by the district.			
Compliant	✓	Response Criteria:	
Yes		The prior written notice contains a description of the action proposed or refused by the district.	
No		The prior written notice does not contains a description of the action proposed or refused by the district.	
<u>Rationale for response:</u>			
An explanation of why the school district or approved cooperative proposes or refuses to take action;			009.05B2
The prior written notice must include an explanation of why the district proposes or refuses to take the action.			
Compliant	✓	Response Criteria:	
Yes		The prior written notice contains an explanation of why the district proposed or refused to take the action.	
No		The prior written notice does not contain an explanation of why the district proposed or refused to take the action.	
<u>Rationale for response:</u>			
an explanation of other options the team considered and the reasons why those options were rejected;			009.05B3
The prior written notice must include an explanation of any other options the team considered, and why rejected. (If the district did not consider any other options, the notice should include a statement indicating that no other options were considered.)			
Compliant	✓	Response Criteria:	
Yes		The notice sent to the parents contains a description of other options considered and the reason(s) why the options were rejected.	
No		The notice does not contain a description of other options considered and the reason(s) why the options were rejected.	
<u>Rationale for response:</u>			
a description of each evaluation procedure, assessment, record, or report the school district or approved cooperative uses as a basis for the proposal or refusal;			009.05B4
The prior written notice must include a description of each evaluation procedure, assessment, record or report used by the district as a basis for the proposal or refusal.			
Compliant	✓	Response Criteria:	

Yes		The prior written notice contains a description of each evaluation procedure, test, record, or report that district used as a basis for the proposed action.
No		The prior written notice does not contain a description of each evaluation procedure, test, record, or report that district used as a basis for the proposed action.
<u>Rationale for response:</u>		
A description of any other factors which are relevant to the school district's or approved cooperative's proposal or refusal;		009.05B5
The prior written notice must include a description of any other factors which are relevant to the district's proposal or refusal. If there are no other factors, the district must include a statement that no other factors were relevant to the proposal or refusal.		
Compliant	✓	Response Criteria:
Yes		The prior written notice includes a description of any other factors which are relevant to the district's proposal or refusal of the action.
No		The prior written notice does not include a description of any other factors which are relevant to the district's proposal or refusal of the action.
<u>Rationale for response:</u>		
a statement that the parents of a child with a disability have protection under the procedural safeguards of this Chapter and, if this notice is not an initial referral for evaluation, the means by which a copy or description of the procedural safeguards can be obtained; and		009.05B6
The prior written notice must include a statement that the parents of a child with a disability have protection under the procedural safeguards of Rule 51 (parent rights) and, all prior written notices (except for notice regarding an initial evaluation) must indicate the means by which a copy of or description of the parent rights can be obtained.		
Compliant	✓	Response Criteria:
Yes		The prior written notice contains a statement that the parents of a child with a disability have protection under the procedural safeguards contained in Rule 51 and (except for notices regarding an initial evaluation) the means by which a copy or description of the procedural safeguards can be obtained.
No		The prior written notice <u>does not</u> contain a statement that the parents of a child with a disability have protection under the procedural safeguards contained in Rule 51 or (except for notices regarding the initial evaluation) the means by which a copy or description of the procedural safeguards can be obtained.
<u>Rationale for response:</u>		
sources for parents to obtain assistance in understanding the provisions of this part.		009.05B7
The prior written notice must include sources for parents to obtain assistance in understanding the procedural safeguards (parent rights).		
Compliant	✓	Response Criteria:
Yes		The prior written notice contains a listing of sources for parents to contact to obtain assistance in understanding the provisions of this part.
No		The prior written notice <u>does not</u> contain a listing of sources for parents to contact to obtain assistance in understanding the provisions of this part.
<u>Rationale for response:</u>		
The notice must be written in language understandable to the general public, and provided in the native language of the parents or other mode of communication used by the parent unless it is clearly not feasible to do so.		009.05C
The prior written notice must be written in language understandable to the general public and must be provided in the native language of the parents or other mode of communication used by the parent unless clearly not feasible to do so.		
Compliant	✓	Response Criteria:
Yes		The district maintains documentation that the prior written notice:
		<ul style="list-style-type: none"> Was written in language understandable to the general public; Was provided in the native language of the parent; <u>and</u> Unless clearly not feasible to do so, was provided in the mode of communication used by the parent.
No		The district <u>does not</u> maintain documentation that the prior written notice:
		<ul style="list-style-type: none"> Was written in language understandable to the general public;

		<ul style="list-style-type: none">Was provided in the native language of the parent;<u>or</u>Unless clearly not feasible to do so, was provided in the mode of communication used by the parent.
Rationale for response:		
If the native language or other mode of communication of the parents is not a written language, the school district shall take steps to ensure that the notice is translated orally or by other means to the parents in his or her native language or other mode of communication;		009.05D
If the native language or other mode of communication of the parent is not a written language, the prior written notice must be translated orally or by other means to the parents in his or her native language or other mode of communication. (Typically, the district documents that this occurred through the use of a written statement signed by the person providing or translating the notice to the parent.)		009.05D1
Compliant	✓	Response Criteria:
Yes		For parents whose native language or mode of communication is not a written language, the district provides documentation which indicates that the prior written notice was provided orally or by other means in the parent’s native language or mode of communication.
No		For parents whose native language or mode of communication is not a written language, the district <u>does not</u> maintain documentation which indicates that the prior written notice was provided orally or by other means in the parent’s native language or mode of communication.
NA		The native language or other mode of communication of the parent is (English or) a written language.
Rationale for response:		
if the native language or other mode of communication of the parents is not a written language, there is written evidence that the requirements of this section have been met.		009.05D3
The district must provide written evidence that, if the native language or other mode of communication of the parent is not a written language, the prior written notice was translated orally or by other means to the parents in his or her native language or other mode of communication and that the district took steps to ensure the parent understood the content of the prior written notice.		
Compliant	✓	Response Criteria:
Yes		The district has written evidence that: <ul style="list-style-type: none">The prior written notice was translated orally or by other means to the parents in his or her native language or mode of communication; andThe district took steps to ensure the parent understood the content of the prior written notice.
No		The district does not have written evidence that: <ul style="list-style-type: none">The prior written notice was translated orally or by other means to the parents in his or her native language or mode of communication; orThe district took steps to ensure the parent understood the content of the prior notice.
NA		The native language or other mode of communication of the parent is English or a written language.
Rationale for response:		

Ask district to produce evidence. If no evidence - corrective action applies.

Parent Participation (see Notice of Meeting)			
The school district or approved cooperative shall take steps to ensure that one or both of the parents of the child with a disability are present at the IEP meeting or are afforded an opportunity to participate including:			007.06A
The district maintains documentation that parents have been invited to the IEP meeting, or afforded an alternative opportunity for participating in the IEP meeting.			
The notification will include:			
1. The type of meeting to be held; IEP meeting			
2. The reason for the meeting (development of IEP, review and revision of IEP, discussion of transition services [for students who are turning 16 during the course of the IEP])			
3. Time and location of the meeting and the parent's ability to change the time or location to a mutually agreed upon time and location;			
4. Who will be in attendance at the meeting;			
5. Parent's and district's ability to invite others who have knowledge or special expertise, and determination of knowledge and special expertise to be made by the party inviting the individual to be a member of the IEP team;			
6. For Part C transition services: the Part C Services Coordinator or other representatives at the request of the party.			
The IEP meeting notification is usually written, but if the contact to the parent is via the phone or e-mail, written documentation of the phone call or e-mail must include evidence that the above items were discussed with the parent.			
Compliant	✓	Response Criteria:	
Yes		Notice is on file and completed correctly	
No		Notice is missing; completed inaccurately; or notice does not provide the amount of time required by district policy.	
<u>Rationale for response:</u>			
Notifying parents of the IEP conference early enough to ensure that they will have an opportunity to attend; and			007.06A1
The date on the written notification or documentation of phone call/e-mail is prior to the IEP meeting date, or date on the IEP document.			
Compliant	✓	Response Criteria:	
Yes		Notice is prior to IEP meeting or date on the IEP document.	
No		Notice is not prior to IEP meeting or date on the IEP document.	
<u>Rationale for response:</u>			
Scheduling the meeting at a mutually agreed on time and place.			007.06A2
The written notification form or documentation of phone call/e-mail of the IEP meeting provides information to parents that the time and place may be changed to a mutually agreed upon time and place.			
Compliant	✓	Response Criteria:	
Yes		Notice provides information to parents that the time and place of the meeting can be changed to a mutually agreed upon time and place	
No		Notice does not provide information that the time and place of the meeting can be changed to a mutually agreed upon time and place.	
<u>Rationale for response:</u>			
The notification under Subsection 007.06A1 must include the purpose, time and location of the meeting and who will be in attendance and inform the parents of the provisions of:			007.06B
A. 007.003A6 - Invitation to other individuals who have knowledge or special expertise regarding the child;			
B. 007.03A6a - the determination of the knowledge or special expertise shall be made by the party who invited the individual to be a member of the IEP;			
C. 007.05 - Invitation of the Part C Services Coordinator at the request of the parent			
The written notification or documentation of the phone call/e-mail of the IEP meeting includes the above elements to provide information to the parents.			
Compliant	✓	Response Criteria:	
Yes		Notice or documentation includes all of the above.	

No		Notice is missing some or all of the above or there is no documentation.
<u>Rationale for response:</u>		
If neither parent can attend the IEP meeting, the school or approved cooperative shall use other methods to ensure parent participation including individual or conference telephone calls consistent with 92 NAC 51-007.09H (related to alternate means of meeting participation such as video conference, conference calls).		007.06C
The written notification form or documentation of phone call/e-mail of the IEP meeting provides information to parents that if the parent cannot physically attend the meeting, an alternative method of participation will be used, including individual or conference telephone calls.		
Compliant	✓	Response Criteria:
Yes		Documentation that if the parent cannot attend the IEP meeting, an alternative method of participation was provided.
No		No documentation that parents were provided alternative methods of participation.
N/A		Parent in attendance.
<u>Rationale for response:</u>		
A meeting may be held without the parent in attendance if the school district or approved cooperative is unable to convince the parent to attend/participate. In this case, the district must keep a record of its attempts to arrange a mutually agreed on time and place such as:		007.06D1
007.06D1 - Detailed records of telephone calls made or attempted and the results of those calls;		007.06D2
Records of telephone calls made or attempted include:		007.06D3
A. Date of the contact		
B. Name of the parent contacted		
C. Name of the student		
D. Name of the person making the contact		
E. Purpose of the contact		
F. Results of the contact		
007.06D2 - Copies of correspondence sent to the parents and any responses received; and		
A. Copies of dated correspondence <u>sent</u> by the district to parents.		
B. Copies of any dated responses <u>received</u> by the district from the parents.		
007.06D3 - Detailed records of visits made to the parent's home or place of employment and results of those visits.		
Records of those visits include:		
A. Date of the contact		
B. Place of the contact		
C. Name of the parent contacted		
D. Name of the student		
E. Name of the person making the contact		
F. Purpose of the contact		
G. Results of the contact		
Documentation of the districts attempts to contact parents, set up the meeting, and have the parents attend the meeting.		
Compliant	✓	Response Criteria:
Yes		Parent not in attendance and documentation of attempts to arrange a mutually agreed on time and place in file.
No		Parent not in attendance and no documentation of the above.
N/A		Parent is in attendance.
<u>Rationale for response:</u>		

The school district or approved cooperative shall take whatever action is necessary to ensure that the parent understands the proceedings of an IEP conference, including arranging for an interpreter for the parents who are deaf or whose native language is other than English.		007.06E
Parental signature(s) indicating that the parent(s) understand the content and purpose of their child's IEP meeting and the IEP. For parents whose written language is other than English - documentation of how the district ensured the parent understood the proceedings of the IEP.		
The district secures a parental signature attached to a statement on the IEP form indicating that the parent(s) understands the content and purpose of their child’s IEP meeting and the IEP.		
Compliant	✓	Response Criteria:
Yes		Parent has signed they “understand the proceedings of the IEP conference”. If the parent’s language is other than English, or the parents are deaf, documentation that an interpreter has been provided.
No		No signature that the parent understands the proceedings of the IEP conference.
Rationale for response:		

Can not be corrected. Ask District to produce or look at another file.

IEP - Timeline & Access			
IEP Timelines and Accessibility			
Regulatory Requirements			
A meeting to develop an IEP for a child must be held within thirty (30) calendar days of a determination that the child needs special education and related services.			007.09A
Upon completion of a multidisciplinary team verification decision, school districts or approved cooperatives shall provide a reasonable notification and conduct an individualized education program conference within 30 calendar days.			009.04A2
The date on the <u>initial</u> IEP meeting is within 30 calendar days of the date of the MDT report. Or an IEP meeting is conducted within 30 days of an MDT Reevaluation.			
Compliant	✓	Response Criteria:	
Yes		Date of MDT determination, either for initial evaluations or reevaluations, and IEP meeting date are within 30 calendar days.	
No		IEP conference occurred after the 30 calendar day timeframe.	
N/A		Evaluation is in process or IEP is not an initial IEP.	
Rationale for response:			
An IEP shall be developed, reviewed, revised and implemented for each child who receives special education and related services.			007.01
Is there a current IEP in the child's file?			008.01E1
Compliant	✓	Response Criteria:	
Yes		Current IEP is in place.	
No		No current IEP is in place.	
Rationale for response:			
The IEP team shall review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved.			007.09C
There is not more than 365 days between the date of the previous IEP and the current IEP. (May 1 to April 30). Look at current IEP and previous IEP. IEP goals and/or objectives change from year to year.			
Compliant	✓	Response Criteria:	
Yes		Date of previous IEP and current IEP are not more than 365 days (May 1 to April 30). Goals change from year to year.	
No		IEP dates are more than 365 days apart.	
N/A		IEP is an initial IEP, and a year has not passed.	
Rationale for response:			
School districts or approved cooperatives must provide special education and related services to a child with a disability in accordance with the child's IEP and make a good faith effort to assist the child to achieve the goals and objectives or benchmarks listed in the IEP.			007.02
Note: Progress Reports indicate that there is data to document child progress in meeting the goals, objectives and benchmarks. The progress reports should be distributed according to the timeline list on the child's IEP, with documentation that parents have received the progress report.			009.09B
Compliant	✓	Response Criteria:	
Yes		IEP effective dates documented on the IEP are in effect at the beginning of the year.	
No		IEP effective dates documented on the IEP are NOT in effect at the beginning of the year.	
N/A		Child was verified after the beginning of the year and this is the initial IEP.	
Rationale for response:			
Each school district or approved cooperative shall ensure that an IEP is in effect before special education and related services are provided to a child with a verified disability under this Chapter and is implemented as soon as possible following the IEP meetings.			007.02B

The district documents that the IEP meeting and development of the IEP occurred prior to the initial provision of special education and related services. (Note: The standard for “as soon as possible” is not defined in the Rule, therefore, the standard to be applied is similar to what is applied for “reasonable amount of time”, whether a “reasonable person” would find the amount of time sufficient.)			009.04A3
Compliant	✓	Response Criteria:	
Yes		Special education and related service dates are not prior to the effective dates of the IEP, but soon after the meeting.	
No		Special education and related service dates are prior to the effective dates of the IEP or are not documented to start for over a week following the meeting.	
Rationale for response:			

Can not be corrected. Ask district for documentation or CAP

IEP Team Members/IEP Team Attendance			
Regulatory Requirements			
The school district or approved cooperative shall ensure and document that the IEP team includes the following:			007.03A
The parents of a child with a disability or documentation of 92 NAC 51-007.06D			007.03A1
The IEP includes the signature or name and position of at least one parent indicating they were in attendance at the meeting.			
Compliant	✓	Response Criteria:	
Yes		Parents in attendance or documentation of attendance via an alternate means of participation.	
No		Parent is not in attendance or no documentation of alternate means of participation.	
<u>Rationale for response:</u>			
Not less than one regular education teacher of the child, (if the child is, or may be, participating in the regular education environment);			007.03A2
The regular education teacher of the child, as a member of the IEP team, shall, to the extent appropriate, participate in the development, review and revision of the IEP of the child, including assisting in the determination of appropriate positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications and support for school personnel consistent with 92 NAC 51-007.07A5.			007.03A2a
The IEP includes the signature or name of not less than one regular education teacher of the child who was in attendance at the meeting.			
Compliant	✓	Response Criteria:	
Yes		Documentation of regular education teacher, or excusal of the regular education teacher from attendance at the meeting with appropriate written documentation.	
No		No documentation of regular education teacher attendance or excused participation in meeting.	
<u>Rationale for response:</u>			
Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;			007.03A3
The IEP includes the signature or name of not less than one special education teacher of the child who was in attendance at the meeting.			
Compliant	✓	Response Criteria:	
Yes		Documentation of special education teacher, or excusal of the special education teacher from attendance at the meeting with appropriate written documentation.	
No		No documentation of special education teacher attendance or excused participation in meeting.	
<u>Rationale for response:</u>			
A representative of the school district or approved cooperative who is qualified			007.03A4
(007.03A4a) to provide, or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities;			007.03A4a
(007.03A4b) is knowledgeable about the general education curriculum, and			007.03A4b
(007.03A4c) is knowledgeable about the resources of the school district or approved cooperative. (A school district or approved cooperative may designate another member of the IEP team to also serve as the school district or approved cooperative representative if the criteria in 92 NAC 51-007.03A4 are satisfied.)			007.03A4c
The IEP includes the signature or name and position of the representative of the school district or approved cooperative who was in attendance at the meeting. This should be an employee of the school district and the person designated must meet all the requirements. This person must be able to commit the school districts resources (funds).			
Compliant	✓	Response Criteria:	
Yes		Documentation of the school district representative meeting the requirements in 007.03A4a, b, c, or excusal of the school district representative from attendance at the meeting, with appropriate, written documentation.	
No		No documentation of the school district representative in attendance or excused participation in the meeting.	
<u>Rationale for response:</u>			
An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in 92 NAC 51-007.03A2 through 007.03A6.			

The IEP includes the signature or name and position of the individual who interpreted the instructional implications of the evaluation results, who was in attendance at the meeting. (It could be the same person identified as the regular education teacher, the special education teacher, the district representative, or a person in attendance at the discretion of the parent or school district).		007.03A5
Compliant	✓	Response Criteria:
Yes		The IEP meeting participation page includes the name of the individual who interpreted the instructional implications of the evaluation results, who was in attendance at the meeting. (It could be the same person identified as the regular education teacher, the special education teacher, the district representative, or a person in attendance at the discretion of the parent or school district).
No		No documentation of the individual who interpreted the instructional implications of the evaluation results or excusal of the individual who interpreted the instructional implications from attendance at the meeting, with appropriate written documentation.
<u>Rationale for response:</u>		
At the discretion of the parent or the school district or approved cooperative, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; (The determination of the knowledge or special expertise of any individual shall be made by the party who invited the individual to be a member of the IEP team.)		007.03A6
The IEP includes the signature or name and position of other individuals with special knowledge or special expertise.		
Compliant	✓	Response Criteria:
Yes		The IEP meeting participation page includes the signature or name of the individual who was invited at the discretion of the school district or parents who was in attendance at the meeting.
No		The IEP contains goals or information from an individual who did not attend the IEP (i.e., SLP, OT, etc.). No excusal form provided.
N/A		No additional participants.
<u>Rationale for response:</u>		
For a child attending a nonpublic school, a representative of the nonpublic school the child attends. If the representative cannot attend, other methods shall be used to ensure participation by the nonpublic school, including individual or conference telephone calls;		007.03A8
The signature or name and position of the nonpublic school representative is listed on the IEP participation list.		
If the representative from the nonpublic school is not in attendance at the IEP meeting as determined by a lack of documentation, the district has:		
a. Written correspondence on file that the nonpublic school was informed of its right to attend or access other means of participation including individual or conference telephone calls.		
b. Telephone logs on file indicating that the nonpublic school was informed of its right to attend or access other means of participation including individual or conference telephone calls.		
Compliant	✓	Response Criteria:
Yes		There is a signature or name and position on the participation page, or documentation of written correspondence or calls to inform the nonpublic representative of their right to attend or access by some other means.
No		No signature, name, or any documentation if nonpublic school representative is not in attendance.
N/A		Child is NOT attending nonpublic school.
<u>Rationale for response:</u>		
For children receiving services from an approved agency, a representative of the service agency. If the representative is not in attendance, other methods shall be used to ensure participation by the approved service agency, including written communication, or individual or conference telephone calls;		007.03A9
The signature or name and position of the service agency representative is listed on the IEP participation list.		
If the representative from the service agency is not in attendance at the IEP meeting as determined by a lack of documentation, the district has:		

a. Written correspondence on file that the service agency was informed of its right to attend or access other means of participation including individual or conference telephone calls.		
b. Telephone logs on file indicating that the service agency was informed of its right to attend or access other means of participation including individual or conference telephone calls.		
Compliant	✓	Response Criteria:
Yes		There is a signature or name and position on the participation page, or documentation of written correspondence or calls to inform the service agency representative of their right to attend or access by some other means.
No		No signature, name, or any documentation if service agency representative is not in attendance.
N/A		Child is NOT receiving services from a service agency.
Rationale for response:		
The Student was invited to IEP team meeting where transition services were discussed		
Compliant	✓	Response Criteria:
Yes		The student was at the meeting or there is evidence the student was invited to the meeting
No		The student was not at the meeting and there is no documented evidence the student was invited
N/A		The student was under 16 years of age
Rationale for response:		
Evidence that a representative from an outside agency was invited to the IEP team with prior consent of the parent (or student who has reached the age of majority)?		
Compliant	✓	Response Criteria:
Yes		Participating agency was invited to the meeting, attended the meeting or evidence the parents did not sign consent for an outside agency to attend
No		Parent signed consent for participating agency to attend, but was not included on the invite
N/A		Participating agency is not responsible for providing or paying for transition services
Rationale for response:		
For a child verified in the category of hearing impaired, an educator endorsed to teach a child with hearing impairments.		
The IEP meeting participation page includes the signature or name and position of an educator endorsed to teach a child with a hearing impairment who was in attendance at the meeting.		007.03A11
Compliant	✓	Response Criteria:
Yes		Child is verified as hearing impaired and educator endorsed to teach a child with a hearing impairment signed or the name and position was listed on the signature page, or documentation.
No		Child is verified as hearing impaired and educator endorsed to teach a child with a hearing impairment is not there or not documentation
N/A		Child is NOT hearing impaired.
Rationale for response:		
For a child verified in the category of visual impairment, an educator endorsed to teach a child with visual impairments.		
The IEP meeting participation page includes the signature or name and position of an educator endorsed to teach a child with a visual impairment who was in attendance at the meeting.		007.03A12
Compliant	✓	Response Criteria:
Yes		Child is verified as visually impaired and educator endorsed to teach a child with a visual impairment signed or the name and position was listed on the signature page, or documentation.
No		Child is verified as visually impaired and educator endorsed to teach a child with a visual impairment is not there or not documentation
N/A		Child is NOT visually impaired.
Rationale for response:		

Can not be corrected. Ask district for documentation or CAP

Excusal from the Meeting		
A member of the IEP team described in 92 NAC 51-007.03A2 through 007.03A5 shall not be required to attend an IEP meeting, in whole or in part, if the parent of a child with a disability and the school district or approved cooperative agree, <u>in writing</u> , that the attendance of such member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.		007.04A
Compliant	✓	Response Criteria:
Yes		Excusal agreement documentation by both parent and school district is in the child's file.
No		Member was invited, did not attend, and no documentation of excusal agreement by the parent and school in the child's file.
N/A		All members in attendance.
Rationale for response:		
A member of the IEP team described in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the team member's area of the curriculum or related services, if: the parent, in writing, and the school district approved cooperative consent to the excusal; and		007.04B1
The student's file contains documentation that the parents and the school district agreed that the member could be excused. This documentation may include, but not limited to:		
a. A signed written agreement between the district and the parent; or		
b. The district's IEP meeting notification form contains a statement of agreement to the member's absence from the meeting, signed by the parent; or		
c. The IEP contains a statement that the parent agreed to the member's absence, signed by the parent.		
Compliant	✓	Response Criteria:
Yes		Documentation of parent and school district giving prior written consent to the excusal.
No		No documentation of parent and school district giving prior written consent to the excusal.
N/A		All members in attendance or absent team member's area of the curriculum or related services is not being modified or discussed in the meeting (written agreement required).
Rationale for response:		
A member of the IEP team described in 92 NAC 51-007.04A may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the team member's area of the curriculum or related services, if: the member submits, in writing, to the parent and the IEP team, input into the development of the IEP prior to the meeting.		007.04B2
The student's file contains written documentation of the excused member's input into the development of the IEP. The receipt of the written input was prior to the meeting and documented by the district and the parent.		
Compliant	✓	Response Criteria:
Yes		Documentation of excused member's written input was provided prior to the meeting.
No		No documentation of excused member's written input provided prior to the meeting.
N/A		All members in attendance or absent team member's area of the curriculum or related services is not being modified or discussed in the meeting (written agreement required).
Rationale for response:		

Can be fixed in 10 days or CAP

Individualized Education Plan Content		
Regulatory Requirements		
The IEP shall include:		007.07A
A statement of the child's present levels of academic achievement and functional performance, including:		007.07A1
1. The child's present levels of academic achievement and functional performance as reported within the child's IEP is documented through information from the MDT report, through the measured status of the previous IEP goals, and through written results of objective, projective and/or subjective formal and informal diagnostic information gathered by the student's teacher(s).		
2. For preschool children, as appropriate, the child's present levels of academic achievement and functional performance as reported within the child's IEP includes a statement or information on how the child's participation in appropriate activities. Appropriate activities are based on age-appropriate developmental activities for preschool children		
Quality statements of the present levels of both academic achievement and functional performance, through information from the MDT report or previous IEPs, and for preschool children based on age-appropriate developmental activities. The statements should NOT be a long history of the child as this is the present levels .		
Compliant	✓	Response Criteria:
Yes		IEP includes appropriate levels of academic achievement and functional performance statements, age appropriate, and based on the MDT report or pervious IEPs.
No		IEP does not include appropriate levels of academic achievement and functional performance statements, age appropriate, and based on the MDT report or pervious IEPs.
<u>Rationale for response:</u>		
How the child's disability affects the child's involvement in and progress in the general education curriculum (i.e., the same curriculum as for nondisabled children); or		007.07A1a
For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities.		007.07A1b
The PLAAFP includes information on how the child's disability affects the child's involvement in and progress in the general curriculum (or appropriate activities for preschool children).		
Compliant	✓	Response Criteria:
Yes		Statements of how the child's disability affects their involvement in the general curriculum (or age-appropriate activities for preschool) are documented in the present levels.
No		Missing statements of how the child's disability affects their involvement in the general curriculum (or age-appropriate activities for preschool).
<u>Rationale for response:</u>		
A statement of the measurable annual goals, including academics and functional goals designed to:		007.07A2
1. Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; or for preschool children, as appropriate, to participate in appropriate activities, and		007.07A2a
2. Meet each of the child's needs that result from the child's disability.		007.07A2b
1. The child's IEP contains at least one annual measurable goal.		
2. Each goal statement is based on information from the child's present level of academic achievement and functional performance as documented on the child's current IEP.		
3. Each goal statement is based on information from the child's present level of academic achievement and functional performance on how the child's disability affects the child's involvement and progress in the general curriculum or age-appropriate activities.		

4. The goal statement includes information on how the goal will be measured, including type of measurement and the parameters of measurement. Example: The child will demonstrate improvement in her reading comprehension skills from a 3rd grade, 1st month to a 3rd grade 7th month level, by completing appropriate 3rd grade reading passages and completing pre- and post-tests. An example of an unacceptable measurement statement would be: The child will improve his reading comprehension skills as documented through teacher observation.		
Compliant	✓	Response Criteria:
Yes		At least one goal is documented; goals are measurable and related to the child's needs..
No		No goals are documented, the goal(s) is not measurable and/or goals are not related to the child's needs.
<u>Rationale for response:</u>		
For children with disabilities who take alternate assessments aligned to alternate achievement standards, a description of benchmarks or short-term objectives;		007.07A3
1. For children with disabilities who take alternate assessments aligned to alternate achievement standards, intermediate short-term objectives and benchmarks are included with each of the measurable goals. The objectives may include the criteria for measuring the annual goal(s).		
2. The child's IEP includes documentation that the child will be taking an alternate assessment aligned to alternate achievement standards as evidenced through a review of 92 NAC 51-007.07A7		
Compliant	✓	Response Criteria:
Yes		Child takes the alternate assessment AND short-term objectives and benchmarks are included in annual goal(s) and there is documentation that the child will be taking alternate assessment aligned to alternate achievement standards.
No		Child takes the alternate assessment AND no short-term objectives and benchmarks are included in annual goal(s) and/or there is no documentation that the child will be taking alternate assessment aligned to alternate achievement standards.
N/A		Child is not a child who takes the alternate assessment.
<u>Rationale for response:</u>		
A description of how the child's progress toward meeting the annual goals described in 92 NAC 51-007.07A2 will be measured and when periodic reports on the progress the child is making toward meeting the annual goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;		007.07A4
1. The district documents in the IEP information on how progress in meeting the goal was gathered, which may include, but is not limited to: formal testing, test scores, pre and post test scores, classroom assignments, performance trial intervals, charted behavior performance, teacher observation, classroom performance, completion of homework assignments and other appropriate measured student performance.		
2. The district documents the schedule for reporting progress to parents, indicating the schedule for reporting (quarterly, semi-quarterly) and the method of reporting (report cards, progress sheets).		
Compliant	✓	Response Criteria:
Yes		The IEP contains information on how progress will be gathered, and the schedule for reporting to parents.
No		The IEP does not contain information on how progress will be gathered and/or the schedule for reporting to parents.
<u>Rationale for response:</u>		

Can be fixed in 10 days or CAP

IEP - Early Childhood		
In the case of a child who was previously served as an infant or toddler under Part C of the Individuals with Disabilities Education Act, an invitation to the initial IEP meeting shall, at the request of the parent, be sent to the Part C services coordinator or other representatives of the Part C system to assist with the smooth transition of services.		007.05
Compliant	✓	Response Criteria:
Yes		Child was previously served as an infant or toddler under Part C, the parent requested a Part C representative to participate, and the IEP meeting participation page includes the signature or name and position of the service coordinator or other Part C Representative.
No		Child was previously served as an infant or toddler under Part C, the parent requested a Part C representative to participate, and the IEP meeting invite does NOT include the signature or name and position of the service coordinator or other Part C Representative.
N/A		Parents did not request that a Part C representative be invited or the child was not previously served as an infant or toddler under Part C.
Rationale for response:		
From the end of the school year in which a child reaches age 3, until the child's sixth birthday, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in 92 NAC 52 (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with an IFSP who are at least three years of age), and that is developed in accordance with IEP procedures. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is agreed to by the school district or approved cooperative and the child's parents.		007.02A1
Compliant	✓	Response Criteria:
Yes		The child has a school readiness component included in his/her IEP or IFSP.
No		The child <u>does not have</u> a school readiness component included in his/her IEP or IFSP.
Rationale for response:		
From the end of the school year in which a child reaches age 3, until the child's sixth birthday, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in 92 NAC 52 (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with an IFSP who are at least three years of age), and that is developed in accordance with IEP procedures. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is agreed to by the school district or approved cooperative and the child's parents.		007.02A1
Compliant	✓	Response Criteria:
Yes		The child has a literacy component included in his/her IEP or IFSP.
No		The child <u>does not have</u> a literacy component included in his/her IEP or IFSP.
Rationale for response:		
From the end of the school year in which a child reaches age 3, until the child's sixth birthday, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in 92 NAC 52 (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with an IFSP who are at least three years of age), and that is developed in accordance with IEP procedures. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is agreed to by the school district or approved cooperative and the child's parents.		007.02A1
Compliant	✓	Response Criteria:
Yes		The child has a language component included in his/her IEP or IFSP.
No		The child <u>does not have</u> a language component included in his/her IEP or IFSP.
Rationale for response: Can be fixed in 10 days or CAP		
From the end of the school year in which a child reaches age 3, until the child's sixth birthday, the IEP team must consider an IFSP that contains the IFSP content (including the natural environments statement) described in 92 NAC 52 (including an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills for children with an IFSP who are at least three years of age), and that is developed in accordance with IEP procedures. The IFSP may serve as the IEP of the child, if using the IFSP as the IEP is		007.02A1
Compliant	✓	Response Criteria:
Yes		The child has a numeracy skills component included in his/her IEP or IFSP.

No		The child <u>does not have</u> a numeracy component included in his/her IEP or IFSP.
<u>Rationale for response:</u>		

Can not be corrected. Ask district for documentation or CAP

IEP for Transition Age Students (Age 16 and older)			
Beginning not later than the first IEP to be in effect when the child turns 16, or younger if deemed appropriate by the IEP team, and updated annually thereafter:			007.07A9
Compliant	✓	Response Criteria:	
Yes		Transition goals documented have been changed or updated since the previous IEP. Transition services have been changed or updated since the previous IEP. IEP goals relate to the Student's transition service needs	
No		Transition goals are copied and pasted from the previous IEP. Transition services are copied and pasted from the previous IEP. The course of study shows what the student took the previously, but not what is taking or will take in the future. The annual IEP goals do not relate to the Student's transition service needs	
Rationale for response:			
Whenever appropriate, the child with a disability;			
The IEP includes the signature or name and position of child/student who was in attendance at the meeting.			
Compliant	✓	Response Criteria:	007.03A7
Yes		Documentation that the student was invited typically found on IEP Notice of Meeting or on IEP. Student attendance is not mandatory below age 16.	
No		Student is 16 year or older and was not invited to the IEP meeting.	
N/A		Student is younger than 16 years old.	
Rationale for response:			
Can be fixed in 10 days OR CAP			
Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to <u>training, education</u>,			007.07A9a
Compliant	✓	Response Criteria:	
Yes		The IEP includes a postsecondary goal for training or education.	
No		The IEP does not include a postsecondary goal for training or education.	
Rationale for response:			
Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to <u>employment</u>,			007.07A9a
Compliant	✓	Response Criteria:	
Yes		The IEP includes a postsecondary goal for employment.	
No		The IEP does not include a postsecondary goal for employment.	
Rationale for response:			
Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to,, where appropriate, independent living skills			007.07A9a
Compliant	✓	Response Criteria:	
Yes		The IEP includes a postsecondary goal for independent living.	
No		The IEP does not include a postsecondary goal for independent living.	
N/A		The IEP indicates the student does not need a goal for independent living.	
Rationale for response:			
Appropriate measurable postsecondary goals based upon age-appropriate transition assessment s			007.07A9a
Compliant	✓	Response Criteria:	
Yes		The IEP names multiple transition assessments the student has taken. (more than 1)	

No		The IEP only names one or no transition assessment taken by the student.	
Rationale for response:			
The transition services (including courses of study) needed to assist the child in reaching those goals;			007.07A9b; 003.63
Compliant	✓	Response Criteria:	
Yes		The IEP has transition services listed.	
No		The IEP does not have transition services listed.	
Rationale for response:			
The transition services (including courses of study) needed to assist the child in reaching those goals;			007.07A9b
Compliant	✓	Response Criteria:	
Yes		The IEP has a course of study for each year the student will be in school from the current year through the year of graduation or completion.	
No		The IEP does not have a course of study for each year the student will be in school from the current year through the year of graduation or completion. The course of study is only for the current year and the student has more than one year left before graduation/completion.	
Rationale for response:			

Can be fixed in 10 days or CAP

Special Education Services/Special Considerations			
A statement of the special education and related services and supplementary aids and services based on peer-reviewed research to the extent practicable, to be provided to the child, or on behalf of the child, and a statement of the program modifications or supports for school personnel that will be provided to enable the child;			007.07A5
A. 007.07A5a - To advance appropriately toward attaining the annual goals;			007.07A5a
B. 007.07A5b - To be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities; and			007.07A5b
C. 007.07A5c - To be educated and participate with other children with disabilities and nondisabled children in the activities described in 92 NAC 51-007.07A5			007.07A5c
A statement of the special education and related services and supplementary aids and a statement of program modifications or supports.			
Compliant	✓	Response Criteria:	
Yes		The IEP contains information on the special education and related services and supplementary aids and program modifications or supports.	
No		The IEP does not contain information on the special education and related services and supplementary aids and program modifications or supports.	
Rationale for response:			
Can NOT be corrected, unless a typo			
The projected date for the beginning of the services and modifications described in 92 NAC 51-007.07A5 and the anticipated frequency, location, and duration of those services and modifications.			007.07A8
Services should begin no later than a day after the IEP meeting and only be in effect for a year.			
The IEP contains:			
1. Projected beginning and ending dates for each of the special education and related services, supplementary aids and services, and modifications, to indicate the beginning of services, and the duration of services. The beginning and ending dates include the day, month and year.			
2. The anticipated frequency for each of the services and modifications, the frequency may include, but are not limited to: times per week, times per month, or times per year.			
3. The location of the service (separate classroom, regular classroom).			
Compliant	✓	Response Criteria:	
Yes		All sections completed	
No		Section not completed or missing section components.	
Rationale for response:			
In developing, reviewing or revising each child's IEP. (Special Considerations)			007.07B
The IEP team shall consider the strengths of the child and the concerns of the parents for enhancing the education of their child.			007.07B1
The IEP includes documentation of the parent's concerns, or indication that the parents have no concerns at this time.			
Compliant	✓	Response Criteria:	
Yes		The IEP lists the concerns of the parents for enhancing their child's education, or indicates that the parents had no concerns at this time; lists the strengths of the child, as part of the present levels of academic achievement and functional performance.	
No		IEP is missing documentation of parent concerns and/or the child's strengths.	
Rationale for response:			
The IEP team shall consider the results of the initial evaluation or most recent evaluation of the child, and the academic, developmental, and functional needs of the child.			007.07B2
The IEP lists the results of the initial evaluation, or the most recent evaluation, and the academic, developmental and functional needs of the child as part of the present levels of academic achievement and functional performance.			
Compliant	✓	Response Criteria:	
Yes		Results of recent evaluations, informal assessments, classroom performance and the academic, developmental and functional needs are listed in the PLAAFP.	
No		IEP is missing results of recent evaluations, informal assessments, classroom performance and and the academic, developmental and functional needs.	

<u>Rationale for response:</u>		
In the case of a child whose behavior impedes his or her learning or that of others, the IEP team shall consider the use of positive behavioral interventions, and supports and other strategies to address that behavior.		007.07B3
If the child is a child whose behavior impedes his or her learning, the IEP documents the team's consideration for using positive behavioral interventions, or indicates that this is not a concern for the child.		
Compliant	✓	Response Criteria:
Yes		Documentation the team considered the child's behavior.
No		No documentation the team considered the child's behavior.
N/A		The child is not a child whose behavior impedes his or her learning.
<u>Rationale for response:</u>		
In the case of a child with limited English proficiency, the IEP team shall consider the language needs of the child as those needs relate to the child's IEP.		007.07B4
If the child is a child with limited English proficiency, the IEP documents the team's consideration of the language needs of the child, or indicates that this is not a concern for this child.		
Compliant	✓	Response Criteria:
Yes		Documentation the team considered the child's language needs.
No		No documentation the team considered the child's language needs.
N/A		The child is not a child with limited English proficiency.
<u>Rationale for response:</u>		
In the case of a child who is blind or visually impaired, the IEP team shall provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the child.		007.07B5
If the child is a child who is blind or visually impaired, the IEP documents the team's consideration to provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for		
Compliant	✓	Response Criteria:
Yes		Documentation the team considered the child's visual needs.
No		No documentation the team considered the child's visual needs.
N/A		The child is not a child who is blind or visually impaired.
<u>Rationale for response:</u>		
The IEP team shall consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, shall consider the child's language and communication needs, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.		007.07B6
If the child is a child who is deaf or hard of hearing, the IEP documents the consideration of the child's language and communication needs, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the child's language and communication mode.		
Compliant	✓	Response Criteria:
Yes		Documentation the team considered the child's communication needs.
No		No documentation the team considered the child's communication needs.
N/A		The child is not a child who is deaf or hard of hearing.
<u>Rationale for response:</u>		
The IEP team shall consider whether the child needs assistive technology devices and services.		007.07B7
The IEP indicates whether or not the child needs assistive devices and services, and if yes, the child's IEP includes a statement of the device or service needed.		

Compliant	✓	Response Criteria:
Yes		Documentation the team considered the child's assistive technology needs.
No		No documentation the team considered the child's assistive technology needs.
<u>Rationale for response:</u>		

Can be fixed in 10 days or CAP

Assessment Accommodations		007.07A7
A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the child on state and district-wide assessments; and if the IEP team determines that the child <u>must</u> take an alternate assessment <u>instead of</u> a particular <u>regular state</u> or district-wide assessment of student achievement, a statement of WHY:		007.07A7
The IEP contains a written statement of the accommodations or modifications the child will receive when participating in the state and district-wide assessments.		
Compliant	✓	Response Criteria:
Yes		IEP includes documentation of accommodations or modifications the child needs for taking state or district-wide assessments or IEP states accommodations and/or modifications are not needed.
No		No documentation is found on IEP and/or partial information is provided.
Rationale for response:		
Why the child cannot participate in the regular assessment; and		007.07A7a
The IEP contains a written statement of why the child cannot participate in the regular assessment.		
Compliant	✓	Response Criteria:
Yes		IEP documents why the child cannot participate in the regular assessment
No		No documentation is found on the IEP.
N/A		Child is taking the regular assessment.
Rationale for response:		
The particular alternate assessment selected is appropriate for the child.		007.07A7b
The IEP contains a written statement of why the particular alternate assessment selected is appropriate for the child.		
Compliant	✓	Response Criteria:
Yes		IEP documents why the alternate assessment is appropriate.
No		No documentation is found on the IEP.
N/A		Child is taking the regular assessment.
Rationale for response:		

Can be fixed in 10 days or CAP

Extended School Year Services (ESYS)		007.07C5
Each school district or approved cooperative shall ensure that extended school year services are available as necessary to provide a free appropriate education consistent with 92 NAC 51-007C5b.		007.07C5a
Extended School Year (ESY) services must be provided only if a child's IEP team determines, on an individual basis, in accordance with Section 007, that the services are necessary for the provision of a free appropriate public education.		007.07C5b
Compliant	✓	Response Criteria:
Yes		The IEP contains documentation that the IEP Team reviewed and considered the need for ESY services and if ESY services are needed, the IEP documents the type, amount and duration of the ESY services to be provided.
No		No documentation that ESYS were considered; or if ESYS services were deemed to the necessary there is no documentation of the ESYS services to be provided.
Rationale for response:		